

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEC 01 2005

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL JEROME SMITH,

Defendant.

CR-02-276-EFS

Order for the Dismissal of the
Indictment With Prejudice

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure,
consistent with the terms of the plea agreement that plaintiff United States of
America and defendant Michael Jerome Smith entered into in Cause No. CR-02-
233-EFS, and following the imposition of judgment and sentence on defendant
Michael Jerome Smith on the sole count in Indictment No. CR-02-233-EFS;

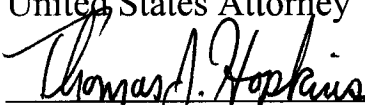
IT IS ORDERED that the Government's Motion to Dismiss the Indictment
With Prejudice be, and hereby is, GRANTED and that all four counts of
Indictment No. CR-02-276-EFS be, and hereby are, DISMISSED WITH
PREJUDICE.

DATED this 15th day of December, 2005


Edward F. Shea
United States District Judge

Presented by:

James A. McDevitt
United States Attorney


Thomas J. Hopkins
Assistant U.S. Attorney

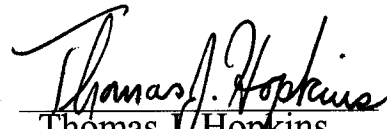
Order for the Dismissal of the Indictment With Prejudice - 1

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1 I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that on
2 December 1, 2005, I placed a copy of the foregoing document in a prepaid
3 envelope placed in the outgoing mail of the United States Attorney's Office for the
4 Eastern District of Washington, which is deposited in the United States mail at
5 Spokane, Washington, or in the inter-office mail system, to the person indicated
6 below, which I believe is his or her last known address, or I obtained personal
7 service on the person indicated below:
8

9 Mr. Robert R. Fischer
10 Law Office of Robert R. Fischer, P.S.
11 2206 North Pines Road
12 Spokane Valley, WA 99206-4756

13 Ms. Jennifer Dykstra
14 U.S. Probation Officer
15 U.S. Courthouse, Suite 326
16 P.O. BOX 1791
17 Yakima, WA 98907-1791

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Thomas J. Hopkins